

MAY-20-2005 FRI 01:46 PM MERRILL ARNONE &amp; JONES

RECEIVED  
FAX NO. 7075286015  
CENTRAL FAX CENTER 01/02

MAY 20 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1986, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

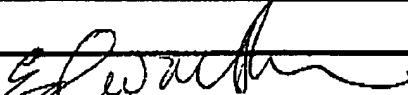
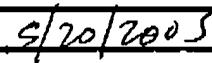
Total Number of Pages in This Submission 2

Application Number	10/762,631
Filing Date	1/21/2004
First Named Inventor	Sloan, Margaret
Art Unit	3843
Examiner Name	Smith, Kimberly S.

Attorney Docket Number 116.01NP

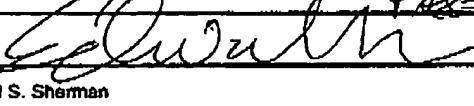
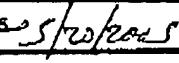
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	EDWARD S. SHERMAN		
Date	4/14/2005 → 	Reg. No.	43,116

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	 <i>Take # 703) 872-9306</i>		
Typed or printed name	Edward S. Sherman	Date	4/14/2005 → 

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER**

- 1 -

MAY 20 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****IN RE APPLICATION OF: Margaret Sloan**

Serial No.: 10/762,631

Filed: 1/21/2004

Docket #: 115.01NP

Group Art Unit: 3643

Title: Shelter for Small Animals and Pets

Examiner: Kimberly S. Smith

**Certificate of Mailing under 37 CFR 1.8**  
 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
 Mail Stop \_\_\_\_\_  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 on \_\_\_\_\_  
 Date \_\_\_\_\_

Signature \_\_\_\_\_  
 Edward S. Sherman

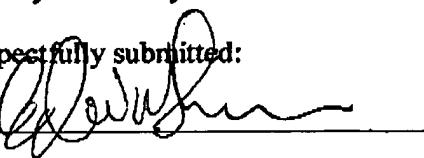
**Response to Restriction Requirement**

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 by FAX

Honorable Sir:

In response to the Office Action dated 5/17/2005, the applicant elects Group I, claims 1-12 for examination. Applicant further elects species I. Species I is readable, as vaguely defined by the Examiner's Office Action of 5/17, on Claims 1-11.

Respectfully submitted:

by: 

on 5/20/2005

Edward S. Sherman, Ph.D.,  
 Patent Attorney (Reg. No. 43,115)  
 3354 Round Barn Boulevard  
 Suite 303  
 Santa Rosa, CA 95403  
 707)539-7680  
 707)332-3645 (mobile)  
 707)528- 6015 (fax)